

**In the Matter Of:**

NEW ENGLAND COMPOUNDING PHARMACY, INC. PRODUCTS LIABILITY

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**VIDEOTAPED DEPOSITION OF JEAN ATKINSON**

*March 10, 2015*

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NEW ENGLAND COMPOUNDING PHARMACY, INC. PRODUCTS LIABILITY  
VIDEOTAPED DEPOSITION OF JEAN ATKINSON on 03/10/2015

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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND  
COMPOUNDING PHARMACY,  
INC. PRODUCTS LIABILITY MDL No. 2419  
LITIGATION

Master Dkt:  
1:13-md-02419-RWZ

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THIS DOCUMENT RELATES  
TO:

All Actions

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VIDEOTAPED DEPOSITION OF  
JEAN ATKINSON

9:04 a.m.  
March 10, 2015

Suite 1100  
315 Deaderick Street  
Nashville, Tennessee

Blanche J. Dugas, RPR, CCR No. B-2290

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1 pharmaceutical ordering. That was taken away from you  
2 by -- when Calisher was hired; correct?

3 A. Yes.

4 Q. Were you given any additional job  
5 responsibilities when that happened, or were those  
6 just taken away and given to Calisher?

7 A. Those was all taken away and given to  
8 Calishers.

9 Q. Eye Centers of Tennessee, what did you do  
10 there?

11 A. I was the director of nursing.

12 Q. And were you also still employed at  
13 Specialty Surgery during that time?

14 A. I went to work at Eye Centers I think the  
15 last of May, stayed on as needed at the Specialty  
16 Surgery because of my leaving, it -- they just -- I  
17 didn't really want to leave the OR so they let me work  
18 one day a week.

19 Q. Okay. So you were employed at both places  
20 at the same time?

21 A. Uh-huh (affirmative).

22 Q. And then in September 2013, you started  
23 working at Cumberland Medical Center.

24 A. Yes.

25 Q. And is that -- was that basically the same

1 job responsibilities you had when Specialty Surgery --  
2 when you finished working with Specialty Surgery?

3 A. Okay.

4 Q. Scratch that. Let me try over.

5 A. Okay.

6 Q. Even I realize that was confusing.

7 A. Okay.

8 Q. When you ceased working with Specialty  
9 Surgery, I believe you said that they were  
10 dissolved --

11 A. Uh-huh (affirmative).

12 Q. -- sometime around June, July, August  
13 September of 2013 --

14 A. Uh-huh (affirmative).

15 Q. -- and you started working for Cumberland  
16 Medical Center.

17 Did you hold the same job title and  
18 responsibilities with Cumberland Medical Center that  
19 you had held with Specialty Surgery?

20 A. No.

21 Q. Okay. What was the difference?

22 A. With Cumberland Medical Center, I am a  
23 staff nurse.

24 Q. Okay.

25 A. No management responsibilities.

1 Q. Okay. Who handles the management for  
2 Cumberland Medical Center?

3 A. For my endoscopy department, it's Pam  
4 Kendrix.

5 Q. Do you work for Cumberland Medical Center  
6 now?

7 A. Yes.

8 Q. You receive -- your paycheck says  
9 Cumberland Medical Center on it?

10 A. Yes.

11 Q. Okay. Okay. I want to hand you a document  
12 that's previously been marked as Exhibit 84 to the  
13 Lister deposition. And if I mispronounce anyone's  
14 names, just please correct me. It's not intentional.  
15 It's through ignorance. So is it Calisher? Is that  
16 how it's pronounced?

17 A. Yes.

18 Q. Have you seen this document before?

19 A. No.

20 Q. Have you flipped through to look at the  
21 pages behind it, please. The question I'm going to  
22 ask you once you finish looking through that is: Have  
23 you seen this document before?

24 A. No, I have never seen this document.

25 Q. You've never seen it before?

1 A. No.

2 Q. Okay. All right.

3 A. Not to my recollection.

4 Q. Okay. Let's talk about that time in  
5 approximately 2009 when Calisher was hired. What was  
6 your understanding of why Calisher was hired by  
7 Specialty Surgery?

8 A. My understanding at that time, Calishers  
9 was coming in to rewrite our insurance contracts and  
10 manage the operation of the center.

11 Q. And by manage the operation of the center,  
12 that would be payroll, that would be vendor payments,  
13 that would be procurement, those sorts of things; is  
14 that correct?

15 A. My understanding was when they come in, any  
16 decisions as far as staff, changes in policy, vendors,  
17 everything had to go through the Calishers.

18 Q. So let's talk specifically about  
19 pharmaceutical products since that's kind of why we're  
20 all here today. If you needed to order more of a  
21 specific pharmaceutical product during your weekly  
22 review of inventory, would you go to Calisher and say,  
23 "We need to order X amount of this drug," or would you  
24 just -- or how would that work? What would that  
25 process be?